

United States District Court

WESTERN

DISTRICT OF

TEXAS, EL PASO DIVISION

UNITED STATES OF AMERICA

FILED

V.

CRIMINAL COMPLAINT

Juan De Dios RAMIREZ-Garcia

DEC 28 2009

CASE NUMBER: 09 - 7176M

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

EPT 721-1228

BY mom
DEPUTY CLERK

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about December 25, 2009 in El Paso county, in the Western District of Texas DEFENDANT (s) did, (Track Statutory Language of Offense)

An alien who had been Removed from the United States and who had not received consent to reapply for admission from the Attorney General of the United States or the Secretary of Homeland Security, the successor, pursuant to Title 6, United States Code, Sections 202(3), 202(4), and 557, was found in the United States.

in violation of Title 8 United States Code, Section(s) 1326

Prosecutions Officer

I further state that I am a (n) Senior Patrol Agent and that this complaint is based on the following facts:

On December 25, 2009 at approximately 02:20 A.M., ^{Official Title} Border Patrol Agent Juan Guerra observed an individual crossing the Rio Grande River, walking north toward his location, approximately 2.1 miles west of the Paso Del Norte Port Of Entry in El Paso, Texas. Agent Guerra approached the individual, identified himself as a United States Border Patrol Agent and questioned the individual as to his citizenship. The individual, later identified as the DEFENDANT, stated that he was citizen of Mexico with no immigration documents allowing him to be in or remain in the United States legally.

Continued on the attached sheet and made a part hereof:

☒ Yes☐ NoAngelica Parra

Signature of Complainant

Angelica Parra

U.S. Border Patrol

Sworn to before me and subscribed in my presence,

December 28, 2009El Paso, Texas

Date

City and State

Richard P. Mesa

United States Magistrate Judge

Richard P. Mesa

Name & Title of Judicial Officer

Signature of Judicial Officer

WESTERN DISTRICT OF TEXAS

Juan De Dios RAMIREZ-Garcia

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FACTS (CONTINUED)

The DEFENDANT was placed under arrest and transported to the El Paso Border Patrol Station for further questioning.

The DEFENDANT was enrolled into the ENFORCE/IDENT/IAFIS systems. The system identified the DEFENDANT by his fingerprints and photo, indicating an alert for prior immigration history. The DEFENDANT was advised of his Miranda Rights in spanish, which he acknowledged by signing Form I-214.

IMMIGRATION HISTORY:

REMOVED FROM THE U.S. ON OR ABOUT 07/28/2008 via El Paso, Texas.

In a record of sworn statement in affidavit form the DEFENDANT admitted to being previously removed from the United States.

CRIMINAL HISTORY:

None.

Further immigration records checks revealed that the defendant has not received the permission from the Attorney General of the United States or the Secretary of Homeland Security to reapply for admission into the United States.